

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

MARVIN E. SAMPLES,

Plaintiff,

v.

REACO BATTERY SERVICE CORPORATION,
SCOTT GAMSTER, HAROLD HAWK and CROWN
BATTERY MANUFACTURING COMPANY,

Defendants.

Case No. 10-cv-280-JPG-PMF

MEMORANDUM AND ORDER

This matter comes before the Court on the Stipulation of Dismissal (Doc. 41) pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii) signed by all parties who have appeared in this case. Rule 41(a)(1)(A)(ii) allows dismissal by a plaintiff without a court order by filing such a stipulation. Therefore, the Court finds that this action is **DISMISSED with prejudice** and **DIRECTS** the Clerk of Court to close this case.

IT IS SO ORDERED.

DATED: October 28, 2010

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE